



BOARD OF REGISTERED NURSING
P.O Box 944210, Sacramento, CA 94244-2100
P (916) 322-3350 | www.rn.ca.gov
Ruth Ann Terry, MPH, RN, Executive Officer

DIVERSION / DISCIPLINE COMMITTEE MINUTES

DATE: October 16, 2008

SITE: Doubletree Hotel San Francisco Airport
835 Airport Blvd.
Burlingame, CA 94010
Phone: (650) 344-5500
Fax: (650) 347-9887

MEMBERS PRESENT: LaFrancine Tate, President
Nancy Beecham, RNC, BS, FADONA \ LTC, Acting Chair

STAFF PRESENT: Heidi Goodman, Assistant Executive Officer
Carol Stanford, Diversion & Probation Program Manager
Louise Bailey, RN, NEC Supervisor
Geri Nibbs, RN, NEC

OTHERS PRESENT: Virginia Matthews, Maximus
Genevieve Clavreul, NRNPA
Susan Naimi – California Career College
Paulina Van, RN, Ph. D.
Joyce Johnson - Mt. San Jacinto College

The Acting Chair, Nancy Beecham called the meeting to order at 9:05 am.

1.0 COMMITTEE BUSINESS

1.1 Approve/Not Approve: Minutes of May 8, 2008

M/S/C: LaFrancine Tate / Nancy Beecham approved the minutes as submitted.

2.0 ENFORCEMENT PROGRAM

2.1 PROGRAM UPDATE

The board is in the process of adding the conviction question to the renewal form which will ask licensees whether or not they have been convicted of a crime since the last time they renewed their license. The board's request was submitted to the department in mid-August and it is anticipated the requested changes will be implemented with the renewal

forms mailed out the end of October 2008 for licenses that are due to expire January 2009. It is uncertain how many additional complaints will result by asking this question but it is anticipated that this could significantly increase the workload in Enforcement.

STATISTICS

Enforcement Program statistics for the first quarter of the fiscal year (July through September 2008) were presented.

Early projections show that the number of complaints received could be the highest the board has ever received at 4,304 which is 10% higher than last year's record number of 3,900.

The number of citations issued is projected to increase by over 71% from last year due to licensees who have not complied with their continuing education requirement for license renewal. Additionally, citations could increase for those renewal applicants who fail to disclose a conviction on their application; but their conviction does not rise to the level of pursuing disciplinary action. It should be noted that this increase may be far greater than we are projecting as this is only the first quarter of the fiscal year.

3.0 DIVERSION/PROBATION PROGRAMS

3.1 Information Only: Diversion Program Update and Statistics

Program Update

The Diversion Program Manager assisted with amendments to SB 1441 regarding the Diversion Program that was signed into law by the Governor on September 28, 2008. In 2009 the Department of Consumer Affairs will develop a Substance Abuse Coordination Committee that will formulate uniform and specific standards for managing substance-abusing licensees. It also requires that all of the Diversion Programs be audited by 2010.

Contract Update

On October 3, 2008, a hearing was held in the Superior Court of Sacramento regarding a tentative ruling on the Petition for Writ of Mandate filed by Compass Vision protesting the award of the Diversion Program contract to Maximus. The outcome from the hearing is pending.

Diversion Evaluation Committees (DEC)

There are currently six vacancies as follows: five physicians, and one registered nurse. Recruitment efforts continue.

Statistics

Monthly Statistical Summary Report for July and August 2008 was presented. As of August 31, 2008 there were 1,335 successful completions in the Diversion Program.

3.2 Information Only: Probation Program Update and Statistics

Program Update

The BRN has had to monitor over 470 in-state probationers with only four probation monitors. There are also an additional 167 probationers living out-of state whose cases are currently tolled. The addition of Elizabeth Hespeler as a probation monitor will help alleviate some of the caseload of the other monitors in the program.

Of the in-state cases being monitored, 84 of the probation cases are currently referred to The Attorney General's Office for additional disciplinary actions and 36 have been disciplined since January 2008.

Statistics

The current statistics through October 28, 2008 were presented.

4.0 OPEN FORUM

Genevieve Clavreul RN had questions regarding the amount of males disciplined in comparison to females disciplined. She asked if information regarding discipline is contained on the BRN website.

The Acting Chair adjourned the meeting at 9:50 am.

Approved: _____



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DIVERSION / DISCIPLINE COMMITTEE MINUTES

DATE: January 15, 2009

SITE: Hilton Garden Inn
1800 Powell Street
Emeryville, CA 94608
Phone: (510) 658-9300
Fax: (510) 547-8166

MEMBERS PRESENT: LaFrancine Tate, President

STAFF PRESENT: Heidi Goodman, Assistant Executive Officer
Carol Stanford, Diversion & Probation Program Manager
Stacie Berumen, Enforcement Program Division Chief
Louise Bailey, RN, Supervising NEC
Geri Nibbs, RN, NEC

The Acting Chair, LaFrancine Tate called the meeting to order at 10:04 am.

9.0 COMMITTEE BUSINESS

Approve/Not Approve: Minutes of October 16, 2008

There was not a quorum, therefore, minutes for October were unable to be approved and will be carried over to the March 19, 2009 Committee Meeting.

9.1 ENFORCEMENT PROGRAM

9.1.1 Enforcement Program Update and Statistics

Program Update

The office of administrative Law approved the emergency regulation change on November 24, 2008. The regulation authorizes the Board to require licensees to submit fingerprints in order to conduct a state and federal criminal history record search as a condition of renewal. Licensees are also required to certify on the renewal form that they have complied with this requirement. Board staff members are in the process of adding the fingerprint question to the renewal form and to the website in preparation for licensees who will be renewing a license which expires on March 30, 2009.

The Board is also authorized to ask licensees on the renewal form whether or not they have been convicted of a crime since the last time they renewed their license. Enforcement staff is in the process of entering this information into our computer systems and gathering data to better determine what types of violations have occurred as well as whether or not any type of disciplinary action will be taken against a licensee.

It is uncertain how many additional complaints will result by asking the conviction question and reviewing fingerprint rap sheets but it is anticipated that this could significantly increase the workload in Enforcement.

Board staff has submitted the regulation package to the Office of Administrative Law in order to comply with the standard rulemaking process which must be completed by May 26, 2009, in order to ensure that the regulation is legally in effect.

Statistics

Attached are the Enforcement Program statistics for the first half of the fiscal year (July through November 2008). Early projections show that the number of complaints received could be the highest the board has ever received at 4,752 which is 22% higher than last year's record number of 3,900.

The number of citations issued so far this year has surpassed the number issued last year due to licensees who have not complied with their continuing education requirements for license renewal. Additionally, citations could increase for those renewal applicants who fail to disclose a conviction on their application; but their conviction does not rise to the level of pursuing disciplinary action. We will continue to closely monitor all enforcement statistics as a result of implementing the board's new fingerprint and conviction question requirements.

9.2 DIVERSION/PROBATION PROGRAMS

9.2.1 Diversion Program Update and Statistics

Program Update

SB1441 was chaptered on September 28, 2008, that establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs. During November 2008, DCA Director Carrie Lopez met with the Executive Officers and Diversion Program Managers from the Boards and Committee that will participate in this newly created Committee. The attendees discussed the policy requirements necessary to assist in the development of specific uniform standards for managing substance-abusing licenses.

Contract Update

On December 3, 2008, DCA made the decision to not pursue the appeal of the pending Superior Court case regarding the intent to award the Diversion Program Contract. The Diversion Program Manager met with the legal and contract offices to determine the next steps that will be taken as all bids from the last RPF were rejected in the best interest of the State. It is anticipated that a new RPF will be developed and released later this year and the existing contract with Maximus will be extended for an additional 18 months.

Virginia Matthew's, Maximus Project Manager, gave an update regarding the program and satisfaction surveys that have been sent out to participants in the program. The satisfaction survey is being distributed quarterly at Nurse Support Group (NSG) Meetings. They assess all participants throughout the whole process, from intake to DEC's. Facilitators scored the highest. The DEC's and Nurse Support Groups also received very high scores. Overall the participants appreciate the structure and rules in the program. She also advised the committee that there was a lab change from Compass Vision to First Lab. There are more online capabilities for participants. Participants are in the process of changing over to the new vendor.

Statistics

The monthly statistical summary report for September, October and November 2008 are attached. As of November 30, 2008, there were 1,351 successful completions in the Diversion Program.

9.2.2 Probation Program Update and Statistics

Program Update

Kathy Bazil, a Probation Monitor (AGPA) who has worked for the Board of Registered Nursing for 10 years and for the State of California for over 34 years, retired December 29, 2008. Kathy spent the majority of her state career working to protect the consumers of California by working for the Board and the Division of Investigation. The Probation Program is losing its most senior staff member and a wealth of institutional knowledge. Kathy was an asset to both the Board and the Probation Program. She will be greatly missed by both Board staff and her probationers. We wish her all the best as she begins her new and exciting journey into retired life! Interviews have been conducted for her vacant position and we hope to fill it within the next month.

Statistics

The current statistics through December 31, 2008, are attached.

9.2.3 Diversion Evaluation Committees (DEC)

Program Update

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees. Each Committee for the Diversion Program is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

(a) Approve/Not Approve: Diversion Evaluation Committee Member
Appointments/Reappointments/Term Extension

There is one pending DEC member for approval, Cathy Horowitz. Due to the lack of a quorum, the Board will vote to approve or not approve the pending DEC member at the next Board Meeting on February 20, 2009.

(b) Information Only: Diversion Evaluation Committee Member Resignation

There is one DEC resignation, Bernadine Irwin.

9.3 OPEN FORUM

Public comment – Look at number of participants who have successfully completed the diversion program and how many fall off or continue with sobriety.

The Acting Chair adjourned the meeting at 9:50 am.

Approved: _____



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Ruth Ann Terry, MPH, RN, Executive Officer

DIVERSION / DISCIPLINE COMMITTEE MINUTES

DATE: August 21, 2008

SITE: Doubletree Guest Suites
2085 S. Harbor Blvd.
Anaheim, CA 92802
Phone: (714)-750-3000
Fax: (714)-750-3002

MEMBERS PRESENT: LaFrancine Tate, President
Nancy Beecham, RNC, BS, FADONA \ LTC, Acting Chair

STAFF PRESENT: Heidi Goodman, Assistant Executive Officer
Carol Stanford, Diversion & Probation Program Manager
Stacie Berumen, Project Manager
Louise Bailey, RN, NEC Supervisor
Geri Nibbs, RN, NEC

OTHERS PRESENT: Virginia Matthews, Maximus
Genevieve Clavreul, NRNPA
Susan Naimi – California Career College
Paulina Van, RN, Ph. D.
Joyce Johnson - Mt. San Jacinto College

The Acting Chair, Nancy Beecham called the meeting to order at 9:05 am.

1.0 COMMITTEE BUSINESS

1.1 Approve/Not Approve: Minutes of May 8, 2008

M/S/C: LaFrancine Tate / Nancy Beecham approved the minutes as submitted.

2.0 ENFORCEMENT PROGRAM

2.1 Information Only: Enforcement Program Update and Statistics

Attached The Enforcement Program Statistics for July 2007 through June 2008 were attached.

Statistics

The Board's Fiscal year 2007-2008 statistics indicated that within the last six fiscal the following numbers reflect the highest number of: complaints at 3,900; investigations opened at 2,754; pleadings filed at 494; and disciplinary actions at 339.

The Board opened 837 more investigations than in FY 2006/07 which is an increase of 44%. The Board referred an additional 122 cases to the Attorney General's Office for action which is an increase of 39%.

The Board settled 59% of all disciplinary matters by stipulated agreement. Additionally, only 11% of disciplinary matters went through an administrative hearing.

A meeting will be scheduled with staff at DOI and the AG's offices to create a plan of action to improve processing times and prioritize cases. Monitoring and gathering data related to the AG and DOI statistics and budget to determine if current and forecasted workload warrants pursuing a future budget change proposal for additional staffing and funding will continue. Additionally, the enforcement Program is monitoring the caseload and the number of hours being used by both the AG and DOI.

3.0 DIVERSION/PROBATION PROGRAMS

3.1 Information Only: Diversion Program Update and Statistics

Program Update

The Diversion Program Manager was appointed to NCSBNs Chemical Dependency Program Review Committee and the first committee meeting was held June 30th - July 1st. The ultimate goal of this committee is to create standards of practice guidelines for all State Monitoring Programs for RN health professionals. The committee members bring a wealth of experience, information and knowledge and will develop tools to assist programs that are required to monitor health care professionals resulting in dual accomplishments: public protection and the rehabilitation of RN healthcare professionals. The Program Manager informed the Board that BRN is tracking a new diversion bill, SB 1441.

Contract Update

On July 28, 2008, the seven Boards were informed that Maximus was awarded the Diversion Program contract. The contract was extended through December 2008, during the protest period. It is anticipated that the new contract will be in place prior to December as meetings are being held with Maximus to prepare for the new contract. The DCA Contracts Unit was instrumental in assisting the Boards in developing an exceptional RFP and maintaining a fair and impartial process in awarding the contract. Virginia Matthews, Project Director for Maximus, gave a report / update on relapse and drug use information.

Diversion Evaluation Committees (DEC)

There are currently six vacancies as follows: five physicians, and one registered nurse. Recruitment efforts continue.

Statistics

The Monthly Statistical Summary Report for April, May and June 2008 was attached. As of June 30, 2008, there were 1,319 successful completions in the Diversion Program.

3.2 Information Only: Probation Program Update and Statistics

Program Update

The Probation Program hired Elizabeth Hespeler as the new Probation Monitor and she will join the Board on September 1, 2008, as the offer was approved prior to the budget impasse. Ms. Hespeler comes to the Board from Emergency Medical Services Authority and has worked for the Department of Public Health and will be an asset to the Program.

Statistics

The current statistics through July 28, 2008 were attached.

3.3 Diversion Evaluation Committee Members

- (a) Approve/Not Approve: Diversion Evaluation Committee Member
Appointments/Reappointments/Term Extension**
- (b) Information Only: Diversion Evaluation Committee Member
Resignation**

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees. Each Committee for the Diversion Program is composed of three Registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

APPOINTMENTS

Below are the names of candidates who were interviewed and are being recommended for appointment to the Diversion Evaluation Committees (DEC). Their applications and résumés were attached. If appointed, their terms will expire June 30, 2012.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Elaine Bradley	Nurse	Palm Springs	6
Richard Diamond	Public	Sacramento	1
Elinore McCance-Katz	Physician	Oakland	13

M/S/C: Nancy Beecham / La Francine Tate - Approved

REAPPOINTMENTS

The following DEC members are requesting second term appointments. If their appointments are approved, their terms will expire on June 30, 2012

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Edy Stumpf	Public	Orange	4
Mardelle Buss	Physician	San Jose	7
Steven Robb	Nurse	San Diego	10
Diane Christoffels	Public	San Diego	10
Shannon Chavez	Public	San Jose	10

M/S/C: Nancy Beecham / La Francine Tate - Approved

TERM EXTENSION

The following DEC member is requesting an extension of his appointment. He has served two terms and is interested in a two-year extension of his appointment. If approved, his term will expire June 30, 2010.

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Juan Martinez	Public	North Central	12

M/S/C: Nancy Beecham / La Francine Tate – Approved

(b) Information Only: Diversion Evaluation Committee Member Resignation

INFORMATION ONLY

Below is the name of Diversion Evaluation Committee member who has had to resign for personal reasons. His efforts were recognized and certificates and letters of appreciation on behalf of the Board were mailed out.

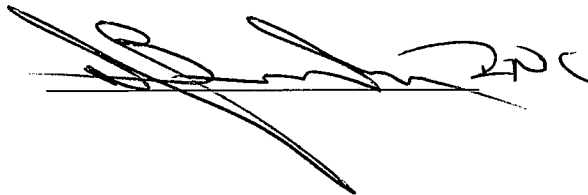
<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
Raymond Jones	Nurse	North Coast	11

4.0 OPEN FORUM

Genevieve Clavreul RN had questions regarding the amount of males disciplined in comparison to females disciplined. She asked if information regarding discipline is contained on the BRN website.

The Acting Chair adjourned the meeting at ~~9:50~~ am. 2:20

Approved:

A handwritten signature in black ink, appearing to be "DNC", written over a horizontal line.

**BOARD OF REGISTERED NURSING
Diversion/Discipline Committee Meeting
Agenda Item Summary**

AGENDA ITEM: 9.1
DATE: March 19, 2009

ACTION REQUESTED: Information Only: Enforcement Program Update and Statistics

REQUESTED BY: Stacie Berumen, Enforcement Division Chief

BACKGROUND:

PROGRAM UPDATE

Staff

Kathy Hodge has been hired as the new Enforcement Program Manager and she started on February 17, 2009. Ms. Hodge is returning to the Board after working for the another State department as a program manager since 2006 and her BRN experience includes a year and a half as an enforcement case analyst and three and a half years promoting through various positions in the Licensing Unit. She has a variety of work and life experience that she brings back to the Board as well as maintaining an active registered nurse license for over 37 years. She has already hit the ground running and we welcome her back to the Board!

One of our longtime case management analysts, Dawn Kammerer, has accepted the position as Ruth Ann Terry's administrative assistant. She was a highly valued member of the Enforcement team who contributed and led many projects during her eight year tenure. Here are just a few of her many accomplishments while in the Enforcement Program. She built Access databases for Expert Witnesses, Case Management tracking for Nursys, assisted with the database development that downloads the complaint data from Access into the Teale system, coordinator and point person for our highly admired DOI Investigator training program, liaison with Nursys to bring our discipline data reporting into compliance with federal government reporting requirements, worked with staff in the Licensing Unit to develop methods to help make determinations on fraudulent documents, developed many forms still used in Enforcement today, and was a wonderful party planner as well. We take solace in knowing that Dawn is nearby if we need information or assistance. She will be dearly missed in Enforcement but we wish her the best as Ruth's new right hand!

We have filled behind Dawn with another former BRN employee whose previous experience includes Licensing and the Diversion Programs. Lorraine Clarke returned on February 9, 2009. She has been training with the Enforcement case analysts and is picking up and learning her job with lightening speed. She also has a wealth of computer programming knowledge which we will be utilizing to our best ability in the future. We are happy to welcome Lorraine back to the Board!

In Enforcement we have filled two new permanent positions with a former and current BRN employee. We have hired Catherine Alston to fill the Management Services Technician position. This was a promotion for Catt who returned to the BRN on February 11, 2009. We also hired Kami Pratab to fill one of our Staff Services Analyst positions. Kami was an international licensing evaluator in our

Licensing Program. Kami began working in Enforcement on March 2, 2009. Both ladies are very enthusiastic and hard working and are wonderful additions to the unit.

The Budget Change Proposal (BCP) for the Fingerprint and Conviction Question was approved by the Department of Finance and has been included in the recently signed Governor's Budget. We were given a total of 11 positions which includes 5.5 permanent and 4.5 limited term positions which will be utilized in both Enforcement and Probation. Enforcement also submitted a BCP for FY 09/10 for one Management Services Technician which was also approved. We have been interviewing for a number of positions over the last couple of months and will continue to do so until all positions are filled.

Program

Licensees began submitting their fingerprints via Live Scan and hard cards in order to comply with their license renewal requirement if they were licensed before August 1990. The Board has received over 21,000 fingerprint results which include: clearances, rejections for various reasons, and rap sheets. The sheer volume of fingerprint results has been extremely overwhelming for both Renewals and Enforcement staff.

After meeting with the Chief and Deputy Chief of the Division of Investigation (DOI) in December 2008 it was determined that we would begin reviewing BRN cases that have been at DOI for one year or more to determine each case's status. Kathy Hodge, Heidi Goodman, Louise Bailey, and I met with DOI's Deputy Chief, each of the two Area Commanders and the San Diego Supervisor at DOI's Headquarters office in Sacramento on March 4, 2009, to review the pending cases in San Diego. It was very informative for both DOI staff as well as our staff. We made strides in communicating the BRN's case priorities as well as case completion dates. We have scheduled our next meeting for March 23, 2009, and will continue meeting until we have discussed each of the four remaining field office's caseload.

On March 10, 2009, Enforcement staff attended the Department of Consumer Affairs' first Enforcement Forum. The forum provided an overview of the Enforcement process and illustrated best practices from various stakeholders that support the process. It provided an opportunity for our Enforcement staff to network with numerous other Board's and Bureau's Enforcement Program, DOI, the Attorney General's office, Office of Administrative Hearings, and District Attorney's offices.

We are also in the process of reviewing and compiling information for the Enforcement Division's Accomplishments and Goals, including Probation and Diversion, which will be provided at the April 2009 Board Meeting.

STATISTICS

Attached are the Enforcement Program statistics for the first half of the fiscal year (July 2008 through January 2009).

Projections still show that the number of complaints received could be the highest the board has ever received at 4,725 which is 21% higher than last year's record number of 3,900.

We have already exceeded the number of citations and fines issued this year at 51 over last years 35. Current projections show that we will exceed last year's number by 149%. It is anticipated that it will continue to increase as we better utilize this form of action for those cases which do not rise to the level of pursuing disciplinary action against a license.

It appears that all pleadings have decreased by a total of almost 23% while we are still on pace to refer the same number of cases to the Attorney General's Office this year as we did last year. We will begin looking more closely at our numbers to see if we can determine the cause for this decrease.

We will continue to closely monitor all Enforcement statistics as a result of implementing the Board's new fingerprint and conviction question requirements.

NEXT STEP:

Continue to monitor statistics due to the projected increase in workload to gather data for a possible budget change proposal in FY 2010/11.

**FINANCIAL
IMPLICATIONS,
IF ANY:**

None at this time. We recently began implementing the conviction question on the renewal form and began implementing the fingerprint requirement in March 2009. Will provide updates at each DDC meeting for review and possible action.

PERSON TO CONTACT:

Stacie Berumen, Enforcement Division Chief
(916) 574-7608

CALIFORNIA BOARD OF REGISTERED NURSING
ENFORCEMENT STATISTICS
January 30, 2009

							Projected FY
DESCRIPTION	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09*	2008-09
Complaints Received	2,993	3,148	3,384	3,361	3,900	2,756	4,725
Referred to Diversion Program	225	256	311	367	332	218	374
Investigations Opened	1,132	2,401	2,312	1,917	2,754	1,853	3,177
Referred to Attorney General	391	331	562	314	436	256	439
Cases Pending at Attorney General	503	449	670	604	599	585	NA
Petitions to Revoke Probation Filed	30	21	36	44	74	30	51
Accusations Filed	338	216	270	336	404	187	321
Statements of Issues Filed	30	15	22	22	16	6	10
Total Pleadings	398	252	328	402	494	223	382
Orders to Compel Examination (Sec. 820)	8	11	7	5	6	3	5
Interim Suspension Order	3	4	2	3	1	0	0
Criminal Actions Filed	15	54	11	7	23	8	14
Licensee Disciplinary Actions:							
(a) Revocation	117	102	85	101	121	83	142
(b) Probation	149	137	110	120	131	99	170
(c) Suspension/Probation	2	0	3	6	10	8	14
(d) License Surrendered	49	49	36	67	73	47	81
(e) Public Reprimand/Reproval	12	5	8	9	3	4	7
(f) Decisions Other	0	6	2	3	1	2	3
Total, Licensee Discipline	329	299	244	306	339	243	417
Total Cite and Fine Citations Issued*	17	34	1	17	35	51	87
Applicant Disciplinary Actions:							
(a) License Denied	0	25	10	7	17	17	29
(b) License Issued on Probation	19	15	10	15	10	3	5
Total, Applicant Discipline	19	40	20	22	27	20	34
Process Used for Discipline (licensees)							
(a) Administrative Hearing	58	50	34	44	38	31	53
(b) Default Decision	82	73	63	76	101	72	123
(c) Stipulation	189	176	147	186	200	140	240
Total	329	299	244	306	339	243	417

*Fiscal Year to Date

**BOARD OF REGISTERED NURSING
Diversion/Discipline Committee Meeting
Agenda Item Summary**

AGENDA ITEM: 9.2

DATE: March 19, 2009

ACTION REQUESTED: Information Only: Diversion Program Update and Statistics

REQUESTED BY: Carol Stanford, Diversion Program Manager

BACKGROUND:

Program Update

The Diversion Program Managers (DPMs) continue to meet with Maximus on a monthly basis in order to maintain contract compliance, continuity in the program, and to discuss testing and survey results. In February 2009, First Lab entered into an agreement with Maximus to provide drug screening for Diversion Program Participants. Compass Vision is no longer providing this service for the Diversion Program. We have not received any information regarding any issues or complaints surrounding the transition. BRN staff will continue to monitor this transition.

Pursuant to SB1441, the Substance Abuse Coordination Committee held its first public meeting on March 3, 2009. Various staff from the Board and the DPM attended the meeting and provided a written summary regarding the BRN's Diversion Program. The focus of this meeting was to gain a historical perspective of the allied health boards Diversion Programs; define issues surrounding substance abuse, identify potential public harm as well as to gather public comment on the various topics that were presented. Additionally, various speakers presented information that included a first hand account of successfully completing a diversion program, results from a state agency drug and alcohol program, information from a public interest perspective, and physicians from several hospitals and schools also presented their perspectives. The next meeting has been scheduled for May 18, 2009.

Contract Update

The Diversion Program Committee, DPC, continues to meet to develop a new Request for Proposal (RFP) for the Diversion Program contract. Upon completion, the RFP will be available for interested parties on the Department of General Services Web site at www.dgs.ca.gov.

Diversion Evaluation Committees (DEC)

There are currently seven vacancies as follows: four physicians and three registered nurses. Recruitment efforts continue.

Statistics

Attached is the Monthly Statistical Summary Report for December 2008 through January 2009. As of January 31, 2009 there were 1,362 successful completions in the Diversion Program.

NEXT STEP: None

**FINANCIAL IMPLICATIONS,
IF ANY:**

None

PERSON TO CONTACT:

Carol Stanford, Diversion Program Manager
(916) 574-7616

**BOARD OF REGISTERED NURSING
DIVERSION PROGRAM
STATISTICAL SUMMARY
December 2008 and January 2009**

	CURRENT MONTHS	YEAR TO DATE (FY)	PROGRAM TO DATE
INTAKES COMPLETED	35	124	3,816
INTAKE INFORMATION			
Female	25	94	3,015
Male	10	30	801
Average Age	30-34 & 45-49		
Most Common Worksite	Hospital		
Most Common Specialty	Medical/Surgical		
Most Common Substance Abused	Alcohol/Hydrocodone		
PRESENTING PROBLEM AT INTAKE			
Substance Abuse (only)	20	76	2,537
Mental Illness (only)	1	2	137
Dual Diagnosis	14	46	1,103
Undetermined	0	0	39
REFERRAL TYPE*			
Self	22	55	2,540
Board	13	69	1,276
*May change after Intake			
ETHNICITY (IF KNOWN) AT INTAKE			
Asian	0	1	69
African American	2	2	119
Hispanic	2	3	127
Native American	0	1	24
Pacific Islander	0	1	10
Caucasian	30	115	3,135
Other	1	1	57
Not Reported	0	0	275
CLOSURES			
Successful Completion	11	43	1,362
Failure to Derive Benefit	0	2	98
Failure to Comply	1	13	871
Moved to Another State	0	0	54
Not Accepted by DEC	0	0	36
Voluntary Withdrawal Post-DEC	1	5	266
Voluntary Withdrawal Pre-DEC	1	10	379
Closed Public Risk	5	13	122
No Longer Eligible	0	0	8
Client Expired	0	1	32
TOTAL CLOSURES	19	87	3,228
NUMBER OF PARTICIPANTS: 479 (as of February 1, 2009)			

BOARD OF REGISTERED NURSING
Diversion/Discipline Committee Meeting
Agenda Item Summary

AGENDA ITEM: 9.2.3

DATE: March 19, 2009

ACTION REQUESTED: Information Only: Diversion Evaluation Committee Member

REQUESTED BY: Carol Stanford, Diversion Program Manager

BACKGROUND:

In accordance with B & P Code Section 2770.2, the Board of Registered Nursing is responsible for appointing persons to serve on the Diversion Evaluation Committees. Each Committee for the Diversion Program is composed of three registered nurses, a physician and a public member with expertise in chemical dependency and/or mental health.

(a) INFORMATION ONLY:

Diversion Evaluation Committee Member Resignation

<u>NAME</u>	<u>TITLE</u>	<u>DEC</u>	<u>NO</u>
David Laskin	Nurse	Bay Area	2

NEXT STEP: Continue recruiting efforts

**FINANCIAL
IMPLICATIONS:** None

PERSON TO CONTACT: Carol Stanford, Diversion/Probation Program Manager
(916) 574-7616

BOARD OF REGISTERED NURSING
Diversion/Discipline Committee Meeting
Agenda Item Summary

AGENDA ITEM: 9.3
DATE: March 19, 2009

ACTION REQUESTED: Information Only: Probation Program Update and Statistics

REQUESTED BY: Carol Stanford
Diversion Program Manager

BACKGROUND:

Program Update

On March 2, 2009, Beth Scott started at the Board as the new Manager for the Probation Program. Beth comes from the Department of Corrections and Rehabilitation with over 20 years of experience in a variety of different areas. She also worked as the Enforcement Coordinator at the Speech/Pathology and Audiology Board. One of the duties of the position included monitoring probationers. She has been meeting with each of her staff to learn what they do and who they are. She is very excited to be here and we welcome her to the Board!

Statistics

Below are the current statistics for the Probation Program through March 9, 2009.

MALE	124
FEMALE	354
CHEMICAL DEPENDENCY CASES	255
PRACTICE CASES	164
SOUTHERN CALIFORNIA	247
NORTHERN CALIFORNIA	231
PENDING AT THE AG	82
ADVANCED CERTIFICATES	38
REVOKED OR SURRENDERS (Jan. – March 2009)	5
TOTAL IN-STATE PROBATIONERS	478

NEXT STEP: None

FINANCIAL IMPLICATIONS: None

PERSON TO CONTACT: Carol Stanford, Diversion Program Manager
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